

1 HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 T-MOBILE USA, INC.,

11 Plaintiff,

12 v.

13 HUAWEI DEVICE USA, INC., *et al.*,

14 Defendants.

15 Case No. C14-1351-RAJ

16 ORDER

17 This matter comes before the Court on Defendant Huawei Device USA, Inc.'s
18 Objection to Jury Trial on Unjust Enrichment and Reasonable Royalty. Dkt. # 403.

19 Plaintiff T-Mobile USA, Inc. opposes Defendant's objection. Dkt. # 407.

20 The Court agrees with Plaintiff's arguments in opposition to Defendant's notice.
21 Defendant has not presented sufficient authority proving that these issues should not be
22 presented to the jury. Moreover, Defendant has been aware of these issues for quite some
23 time yet waited for the eve of trial to object. This Court has been clear that it will not
24 allow parties to try their cases by ambush or surprise. Accordingly, the Court **DENIES**
25 Defendant's notice of objection. Dkt. # 403.

26 DATED this 17th day of April, 2017.

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The Honorable Richard A. Jones
United States District Judge

ORDER – 1